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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/527,168

11/15/2005

Yasuo Kanazawa

XA-10296

9285

181 7590 03/25/2008
MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER

FREEDMAN, LAURA

ART UNIT

PAPER NUMBER

3616

NOTIFICATION DATE

DELIVERY MODE

03/25/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocketing@milesstockbridge.com
sstiles@milesstockbridge.com

Office Action Summary	Application No. 10/527,168	Applicant(s) KANAZAWA ET AL.	
	Examiner LAURA FREEDMAN	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/14/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 7, 9, 15, and 17 are objected to because of the following informalities:
“said latch projection” should be changed to --said latch projections-- (claims 7, 15; line 4)
“said latch projection is” should be changed to --said latch projections are-- (claims 9, 17; line 2). Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Beia (4,415,166). Beia discloses a hole cover (for example, including #16) able to be used with a vehicle, and able to cover an opening (for example, including opening in boot #14) on a panel (for example, including boot #14) through which a steering element (for example, including #12) is to pass, comprising:
 - Elastic seal portion (for example, including #18, 20)
 - Steering penetration portion (for example, including central openings in #14, 16, as can be seen in figure 1) in sliding contact with the steering element in a rotation direction

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- Sealing surface (for example, including surface of #14 that matches with positioning tabs #36) having circular shape (for example, to match up with circular shape of #16)
- Plurality of latch projections (for example, including #42)
- Latch recess (for example, including #38) having annular shape (for example, recesses form an annular shape around #18, 20)
- When the latch projections are caught in the latch recess, sound or vibration is produced (for example, including snap sound/vibration)
- Elastic deforming portion (for example, including #22) that allows movement of the steering penetration portion relative to the elastic seal portion (including column 3)
- The elastic seal portion is formed on a seal body (for example, including #18 or #20) made of an elastic material (including middle of column 3)
- The latch projections or latch recess are formed on a seal retaining member (for example, including other of #18 or #20) externally fitted on the seal body (can be seen in figures 1-3)
- Retaining member bias means (for example, including gasket #22 or projections #42) able to bias the seal retaining member in a direction away from the panel and formed on the seal body
- The latch projections are exposed in an assembled state (for example, projections #42 are exposed via formation of slots #38)

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Knudsen, Willfert, Triquet, Harkrader et al., and Oka et al. disclose a hole cover for covering an opening on a panel through which steering element is to pass.

Koch, Kutcher, Katzensteiner, Warnke, Schumacher et al., Brown et al., Fauchon et al., Edelmann et al., Slon et al., Lambeth, Jessberger, Comes et al., Brandner et al., and Stratman et al. disclose a hole cover, including flanges/projections that fit into slots/recesses.

Henley discloses a hole cover for covering an opening on a panel through which steering element is to pass, including an elastic deforming portion.

Groat, Simonetti, and Lilley disclose a hole cover for covering an opening on a panel through which steering element is to pass, including flanges/projections that fit into slots/recesses.

Freudenberg discloses a hole cover, including an elastic deforming portion.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAURA FREEDMAN whose telephone number is 571-272-2442. The examiner can normally be reached on Monday-Friday, 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LF

/Christopher Bottorff/
Primary Examiner, Art Unit 3618